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10 Attorneys for Defendant,  
11 Patrick Byrne

12  
13 **UNITED STATES DISTRICT COURT**  
14  
**CENTRAL DISTRICT OF CALIFORNIA**

15 ROBERT HUNTER BIDEN, an  
16 individual,

17 Plaintiff,

18 vs.

19 PATRICK M. BYRNE, an individual,

20 Defendant.

21 } Case No.: 2:23-cv-09430-SVW-PD  
22 } Judge: Honorable Stephen V. Wilson  
23 } Courtroom: "10A"

24 } Complaint Filed: November 8, 2023

25 } **DECLARATION OF MICHAEL C.**  
26 } **MURPHY, ESQ. IN SUPPORT OF**  
27 } **MOTION IN LIMINE NO. 1 TO**  
28 } **EXCLUDE EXPERT TESTIMONY**  
} **OR OPINION BY PLAINTIFF'S**  
} **WITNESSES**

29 } [ Date: November 25, 2024  
30 } Time: 3:00 p.m.  
31 } Courtroom: "10A"

1 I, Michael C. Murphy, Esq., declares as follows:

2 1. I am an attorney duly authorized and licensed to practice law before  
3 this Court and all the state courts located throughout the State of California. I am  
4 an attorney with the Law Offices of Michael C. Murphy, attorneys of record for  
5 Defendant Patrick Byrne. This Declaration is executed in support of Defendant's  
6 Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment.  
7 I have personal knowledge of the facts stated in this Declaration and if called upon  
8 to testify, I would competently do so.

9 2. On November 8, 2023, Plaintiff Robert Hunter Biden ("Plaintiff")  
10 filed his complaint alleging a single cause of action for defamation per se.

11 3. On February 13, 2024, Defendant Patrick Byrne ("Defendant") filed  
12 his answer and affirmative defenses.

13 4. On September 11, 2024, and within the deadline imposed by the code,  
14 I designated Dr. Nathan E. Levan, MD as our expert on Plaintiff's claim for severe  
15 emotional distress. He performed an IME of Plaintiff pursuant to the court's order.  
16 Plaintiff never designated any experts to testify. Plaintiff never designated any  
17 rebuttal expert witnesses to testify to rebut Dr. Lavid's findings. Plaintiff never  
18 designated any treating physicians to testify and made no treating physician  
19 disclosures. Plaintiff has now included Dr. Alyssa Berline on the witness list to  
20 testify regarding Plaintiff's claim for emotional distress without the required  
21 disclosures.

22 I declare under penalty of perjury under the laws of the United States of  
23 America that the foregoing is true and correct. This Declaration was executed on  
24 November 6, 2024, at Westlake Village, CA.

25 By: /s/ Michael C. Murphy, Esq.